

1 **Mark P. Robinson, Jr.**, SBN 054426
2 **Carlos A. Prietto, III**, SBN 166410
3 **Ted B. Wacker**, SBN 157416
4 **ROBINSON, CALCAGNIE & ROBINSON**
5 620 Newport Center Drive, 7th Floor
6 Newport Beach, CA 92660
7 949-720-1288; Fax 949-720-1292

8 Attorneys for Plaintiff
9 DON McINTOSH

10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**

12
13 IN RE: BEXTRA AND CELEBREX
14 MARKETING, SALES PRACTICES
15 AND PRODUCTS LIABILITY
16 LITIGATION

} Case No. M:03-CV-01699-CRB

} MDL No. 1699

} JUDGE BREYER

17 This document relates to:

18 **DON McINTOSH**
19 **Individual Case No. 3:06-cv-00289-CRB**

} **STIPULATION AND ORDER OF**
20 **DISMISSAL ONLY AS TO CASE**
21 **NUMBER CV 05-6438-DSF (CTx),**
22 **ORIGINALLY FILED IN THE**
23 **CENTRAL DISTRICT OF**
24 **CALIFORNIA**

25 **IT IS HEREBY STIPULATED AND AGREED** by and between counsel
26 for Plaintiff and counsel for Defendants that the Complaint of Plaintiff DON
27 McINTOSH, Case Number CV 05-6438-DSF (CTx), originally filed in the Central
28 District of California on August 30, 2005 and later transferred to MDL No. 1699, *In*
Re: Bextra and Celebrex, Marketing, Sales Practices and Products Liability
Litigation, with the assigned individual case number 3:06-cv-00289-CRB, may be
and is hereby dismissed without prejudice, each party to bear their own costs.

1 Dated: May 18, 2006

ROBINSON, CALCAGNIE & ROBINSON



Mark P. Robinson, Jr., SBN054426
mrobinson@rcrlaw.net

Carlos A. Prietto, III, SBN 166410
cprietto@rcrlaw.net

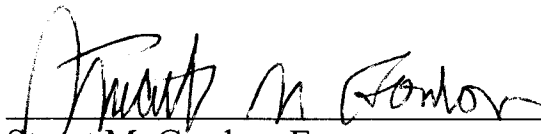
Ted B. Wacker, SBN 157416
twacker@rcrlaw.net

620 Newport Center Drive, 7th Floor
Newport Beach, CA 92660
Telephone: (949) 720-1288
Fax: (949) 720-1292

Counsel for Plaintiff
DON McINTOSH

14 Dated: May 11, 2006

GORDON & REES



Stuart M. Gordon, Esq.
sgordon@gordonrees.com

Embarcadero Center West
275 Battery Street, 20th Floor
San Francisco, CA 94111

Telephone: (415) 986-5900
Fax: (415) 986-8054

Defendants' Liaison Counsel

24 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

27 Dated: May 25, 2006

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